

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY & INTESTATE JURISDICTION

SUIT NO. 65 OF 1987

IN

PETITION NO. 179 OF 1987

Sushilabai Nirmalkumar Rungta Petitioner

Plaintiff

Vs.

Radhyeshyam Chiranjilal Goenka Respondents
& Anr.

Defendants

Mr. B.S. Chandnani i/b B. Mohidin for Plaintiff
Mr. Prasad Das for Defendant no. 2

**CORAM : S.J. VAZIFDAR, J.
DATE : 15TH OCTOBER, 2007**

P.C.

1) The Office has sought directions regarding the implementation of the order of the Hon'ble Supreme Court dated 19th December 2003, which reads as under :

"It is stated that a trunk containing documents belonging to the parties is in the custody of the Prothonotary and Senior Master Original Side of the Bombay High Court. The documents in the said trunk will be returned to the respective parties by the Prothonotary and Senior Master Original Side of the Bombay High Court."

2) The Office has reported that when the trunk was received by the Department, there were no keys alongwith the trunk. The Office therefore seeks directions whether the trunk / lock should be broken open.

3) Firstly a clarification is sought in respect of the order of the Hon'ble Supreme Court. Secondly, this is not a case where the keys were received by this Court and thereafter misplaced by the Department.

4) In the circumstances, it would be appropriate for the parties to seek the necessary orders / clarifications from the Hon'ble Supreme Court.